

DEPARTMENT OF LAND AND NATURAL RESOURCES

Amendment to chapter 13-171
Hawaii Administrative Rules

October 13, 1993

SUMMARY

1. Chapter 13-171, Subchapter 6, §§13-171-60 to 13-171-62 are added.

Subchapter 6

Reservation of Water

§13-171-60 Reservations of water. (a) As provided in HRS §174C-49(d), the commission, by rule, may reserve water in such locations and quantities and for such seasons of the year as in its judgment may be necessary.

(b) The commission shall adopt within this subchapter specific reservations of water in water management areas in such quantities as are deemed necessary for purposes which are consistent with the public interest, including the provision of water for current and foreseeable development and use of Hawaiian home lands pursuant to section 221 of the Hawaiian Homes Commission Act and HRS §174C-101(a).

(c) Proceedings for the establishment of a reservation of water resources within a designated water management area by the commission may be initiated:

- (1) Upon recommendation by the chairperson; or
- (2) Upon written petition to the commission by any interested person with proper standing.

(d) Reserved water shall not be allocated from water management areas by the commission except upon application for a water use permit by the party, or parties, for whom the water was reserved.

(e) All reservations shall be subject to periodic review and revision in light of changed conditions.

[Eff.] (Auth: HRS §§174C-49(d), 174C-101(a)) (Imp: HRS §§174C-49(d), 174C-101(a))

§13-171-61 Department of Hawaiian home lands reservation for Honolulu and Leeward Oahu. The commission hereby reserves 1.724 million gallons per day of ground water from state lands in the Waipahu-Waiawa aquifer system for use in the Papakolea, Nanakuli, and Waianae-Lualualei Hawaiian homestead areas. This amount shall be in excess of the existing uses of water on Hawaiian home lands as of the effective date of this rule. [Eff.]

(Auth: HRS §§174C-49(d), 174C-101(a)) (Imp: HRS §§174C-49(d), 174C-101(a), HHCA §221)

§13-171-62 Department of Hawaiian home lands
reservation for Windward Oahu. The commission hereby
reserves 0.124 million gallons per day of ground water
from state lands in the Waimanalo aquifer system for
use in the Waimanalo Hawaiian homestead area. This
amount shall be in excess of the existing uses of water
on Hawaiian home lands as of the effective date of this
rule. [Eff.] (Auth: HRS §§174C-
49(d), 174C-101(a)) (Imp: HRS §§174C-49(d), 174C-
101(a), HHCA §221)

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The amendment to chapter 13-171, Hawaii Administrative Rules, on the Summary page dated October 13, 1993, was adopted on October 13, 1993, following a public hearing held on Oahu on September 8, 1993, after public notice was given in the Honolulu Star Bulletin, the Honolulu Advertiser, and the Sun Press on August 5, 1993.

This amendment shall take effect ten days after filing with the Office of the Lieutenant Governor.

KEITH W. AHUE, Chairperson
Commission on Water Resource
Management

APPROVED AS TO FORM:

Deputy Attorney General

JOHN WAIHEE
Governor
State of Hawaii

Date:
